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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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JOHN WOOLERY,

Plaintiff,

v.

SCOTT SMITH, et al.,

Defendants.

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Case No.17-cv-06786-SK

**ORDER OF CONDITIONAL
DISMISSAL**

Re: Dkt. No. 121

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The parties hereto, by their counsel, having advised the Court that they have agreed to a
settlement of this case,

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IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,
however, that if any party hereto shall certify to this Court, within **ninety** days, with proof of
service of a copy thereon on opposing counsel, that the agreed consideration for said settlement
has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith
be restored to the calendar to be set for trial.

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SALLIE KIM
United States Magistrate Judge